

McLean Planning Committee

Meeting Minutes (Approved) – Regular Monthly Meeting

March 21, 2012

Members in Attendance

(for the Regular Meeting as was called to order at 7:35PM):

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| Ghassan Abukurah | Ann Seaman | Dan Duval |
| Mary Baker | Marcus Simon | Ron Jerro |
| Gin Kinneman | Jim Turner | |

Guests:

Joe Bakos, Fairfax County chief Zoning Inspector with Mike Cavole, Catherine Lunsford, Gabe Zakkak, Code Compliance, Fairfax County, 703-324-1300.

The JBG Companies: Greg Trimmer, Bailey Hopple, David Paul, 240-333-3709/3838, Michael Franck, architect .

Jane Edmondson, Ben Wiles, Supervisor's Office; Bill Sudow, MRC; Craig Bennett, McLean House; Bobbi Bowman, Patch; Kathleen Wysocki, McLean Mews .

Fairfax County Zoning and Code Compliance Presentation:

At 7:08PM (no quorum), President Abukurah introduced Joe Bakos, Chief Zoning Inspector of Fairfax County for a presentation on County Signage Regulations and Code Compliance.

Several MPC members and staff from Supervisor's office walked McLean and identified signs and other items which make for an unsightly streetscape. A memo from Jane Edmondson summed this up.

Mr. Bakos distributed two copies of Zoning Ordinance provisions: Article 12 Signs, and Appendix 7, part 3 McLean Commercial Revitalization Districts. He explained that signs are regulated by the County by zoning districts, but that VDOT has jurisdiction over anything, such as signs, placed in highway right-of-way. Most signs require approval, and some require a permit. Thus, "no parking" signs need approval, but no permit. When placed within a parking lot, they would be subject to County regulation. All signs need to be properly maintained. Newspaper vending boxes placed on sidewalks are within the highway row and can be put there by right, that is, without the need of a permit.

Within a Revitalization area such as McLean, signs pre-dating the Z.O. are non-compliant, allowed under the grandfathering clause, and can remain even as they are refurbished and/or replaced by smaller signs by right. Signs on new buildings are regulated at the time of site plan approval, with size and location determined by Z.O. provisions. The County allows temporary signs without a permit, but they have to meet a certain max. size limit: such as "for lease" or "going out of business", or to advertise a special sale or a workman's name during a renovation, etc. and which need to be taken down when the

advertised sale or action is over. As Joe explained, this rule dates from the time supermarkets advertised their week's special in their windows or on their front facades and promptly removed the signs when the special changed. For a grand opening, a permit is needed. Permanent special signs should have a permit number somewhere on the front. Window signs are allowed, covering no more than 30% of a window's surface. Free-standing signs and banners in the business district are allowed only if placed by a public entity pursuant to an overall scheme and a permit by the County. Flags and banners noted throughout the CBC are thus illegal. Dumpsters are regulated by siteplans which indicate where and how a dumpster is to be located on each site. When enclosures disintegrate or dumpster is moved, the owners are in violation of their siteplans.

Enforcement is difficult, and is driven 100% by complaints, there not being enough staff manpower to run general patrols. Fairfax County can issue citations, but fines can only be imposed by judges. During enforcement, an illegal sign is often taken down only to pop up again after the enforcement action is over. Complaints can be called in by members of the public, are given anonymous treatment and are protected from freedom of information requests. The Compliance Department will be happy to work with McLean on eliminating clutter and unsightliness from the business district.

President Abukurah thanked Joe Bakos and his staff for their presentation, answering of questions, and coming to McLean for our evening meeting.

Call to Order: President Abukurah called the regular MPC meeting to order at 7:35 p.m.

6862 Elm Street Presentation

Architect Michael Franck of Franck and Lohsen presented the new project. This is planned to consist of a 7-story H-shaped residential building facing Fleetwood, containing approx. 200-250 rental apartments of various sizes, as well as a 3-story office building fronting on Elm Street with retail on the first floor. All parking except for a double row of existing parking on the S side facing the office condos will be indoors on the lower levels of the apartment building, accessible via an internal thoroughfare with access from both Fleetwood and Elm. All other curbcuts will be closed, except for a semi-circular entrance drive to the residential building from Fleetwood.

FAR for the project as presented is 1.9 for the entire site. This includes the following approximate square footages: 110,000 existing office, 5,000 new retail, 5-10,000 new office, and 235,000 residential. Parking: 1.6 spaces per R unit, 4 per 1,000 sq.ft. of office and 6 per 1,000 sq.ft. of retail, with shared parking as possible and a reduction of 20% for revitalization. Streetscapes will comply with McLean CBC Design Guidelines.

Best Management Practices will apply for run-off, although there will be more greenspace than at present; construction to be LEED Certified or better, high quality throughout; open space to include a 62,000 sq.ft. courtyard garden, a treed playground area next to McLean House, and retention and improvement of the through-block trail between this project and McLean House as well as facilities for the residents, including a swimming pool and garden within courtyards.

Questions/suggestions from MPC members include: Consider traffic impact on congested Elm Street (needs opening to 123); contribute to future Connector bus route McLean CBC to Metro (bus shelter!); compare with Paladium at FAR 1.66, no parking reduction, public easement and weekly concert on plaza, relocation of main street, undergrounding utilities, proffer of eating establishment fronting public space, etc.

Approval of minutes: Minutes of meeting February 15th were approved with a slight correction in Treasurer's report.

Treasurer's Report: As of 3/21/12, our checking account balance was \$1,034.68. The CD at Chain Bridge Bank matured on Feb. 17 in the amount of \$4,109.29. The proceeds were combined with \$390.71 from checking to purchase a CD for \$4,500.00 at Cardinal Bank. This CD will mature 4/23/13 and yield annual percentage .65% or slightly more than advertised by Cardinal Bank.

Total current assets: \$5,534.68. Mary also found that IRS had no record of our previous TIN number and applied for a new number. This is now 90-0796598.

Supervisors Report: Jane Edmondson announced an open public meeting on Fx. Co. budget: April 7th. The tax rate is advertised at \$1.08 on the hundred at present, the Board of Supervisors may approve a lower rate, but no higher than advertised. The McLean Community Center adopted two resolutions: a. They will take a fresh look at expansion within CBC (need for 10,000 – 35,000 sq.ft. depending on program), and b. Construction of a gym should be the responsibility of the Park Authority to be built with County funds.

MRC Report: Dan DuVal reported that Undergrounding plans received VDOT approval, going out to bid by end of March, with groundbreaking in June 2012 (after endless years of efforts). Design work for a more pedestrian-friendly Chain Bridge/Old Dominion intersection should begin this summer.

Comprehensive Plan Changes Subcommittee Report: Maya Huber reported on feedback received during a meeting with Supervisor Representatives and Fred Selden, Fx. Co. Planning Director. According to Virginia law, comprehensive plans can only be advisory in nature, not regulatory as the zoning ordinance i.e. is. In court, a regulation imposed solely by comprehensive plan cannot stand. Hence, our use of "shall" is not appropriate. However, Planning staff will take another look at the McLean CBC plan and identify sections which should/could be changed. Staff will also look at potential "edits" where the plan requires clarification. A joint staff/MPC effort will then identify recommended changes to the Plan.

New Business. Document Storage. Cloud storage may be impractical. Ben Wiles advises that MPC minutes are now published as part of Supervisor Foust's webpage and may become part of official records that are presently being computerized by the County.

McLean Community Center Plans: President Abukurah will send an official letter endorsing their presence in the CBC.

MPC Position of Vice-President: Surrounding Citizens group has two months to nominate a candidate for this and next year's president office. Unless they do so, the presidency devolves to the MCA, since the Landowner group has stated they will pass on presidential position.

Elm Street Subcommittee: Winnie Pizzano will serve with Jim Turner, Gin Kinneman, and Ghassan Abukurah. Rich Salopek has also been asked to participate. Craig Bennett will be acting as a liaison for the McLean House and has expressed interest in attending the subcommittee meetings. The subcommittee will keep Mr. Bennet apprised of all meeting dates as they are set.

Adjournment: The meeting is adjourned at 9:40 p.m.